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PROCEEDINGS OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF PEKIN, ILLINOIS,
HELD IN THE COUNCIL CHAMBERS OF CITY HALL
111 SOUTH CAPITOL STREET
ON MONDAY, AUGUST 25, 2014 AT 5:30 O'CLOCK P.M.
JOHN P. ABEL * MAYOR PRO TEM * PRESIDING

PRESENT: COUNCIL MEMBERS, ABEL, GILLESPIE, GOLDEN, ORRICK, HENDRICKS, MCCABE

ABSENT: BARRA

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As provided by Resolution No. 69-13/14, Council Member Abel was appointed in the absence of Mayor Barra as Mayor Pro Tem.

The **Pledge of Allegiance** was led by Mayor Pro Tem Abel.

Roll was called. All members were physically present except Mayor Barra. A quorum was present.

AGENDA

Motion by Council Member McCabe, seconded by Council Member Orrick that the **agenda be approved as presented**. On roll call vote all present voted Aye.

MINUTES

Motion by Council Member McCabe, seconded by Council Member Hendricks that the **minutes of the Regular City Council Meeting of August 11, 2014 be approved as written.** On roll call vote; all present voted Aye.

PUBLIC INPUT ON AGENDA ITEMS

Michael McCabe, 624 Hillyer addressed the Council on the change to parking in the area of Hillyer and Haines Streets. He support to the compromise of restricting parking to 2 hours and allowing the residents to be excluded by purchase of a placard.

Carol Monks, 1006 S. 10th Street, and Richard Haynes, 1003 S.10th Street indicated to the Council that the residents wanted the intersection of 10th and Oxford to not only have a reduced speed but also a 4 way intersection. Mrs. Monks submitted photos to the City Clerk to support her findings of the need

Sally Johnson, 1503 N. 13th Street, questioned if the investors to the facility to be built on the anticipated annexed property would be paying real estate taxes. Mrs. Johnson was advised that there were no incentives given for the project.

Robert Bramham, 2108 Velde Drive, spoke in opposition to reducing speed on California Road. He also was not supportive of charging $10.00 for a sticker to park a vehicle.

CONSENT AGENDA

Motion by Council Member McCabe, seconded by Council Member Gillespie that the **CONSENT AGENDA be approved as presented.** The following was presented for consideration of the Consent Agenda items by Omnibus Vote.

7.1 Receive and File Monthly Reports: Tazewell County Animal Control July Report; Traffic Safety Committee Minutes Dated August 1, 2014; and Building Department Reports May and June, 2014.
7.2 Receive and File: Petition for Annexation.

7.3 Receive and File: Zoning Board of Appeals Minutes dated June 11, 2014 and July 9, 2014.	
7.4 Receive and File: Pekin Planning Commission Minutes dated June 11, 2014, June 25, 2014, July 9, 2014, and August 13, 2014.	
7.5 Receive and File Pekin Planning Commission Hearings and Recommendations: a. Hearing #1877 and 1878 Recommends the approval of the Special Use and Site Plan Cell Tower 1701 Sheridan Road Verizon Zoned R-4 (Single Family Residential District. b. Hearing #1880 Recommends the approval of the Site Plan for business at 207 N. 9th Street. c. Hearing #1881 and #1882 Special Use and Site Plan for Drive-thru at 2925 Court Street.	

On roll call vote all present voted Aye

COMMUNICATIONS, PETITIONS, REPORTS

A Public Hearing was opened by Mayor Pro tem Abel at 5:42 p.m. for the purpose of considering and hearing testimony as to the adoption of an ordinance authorizing the annexation of contiguous tract of property comprising approximately 9.901 acres of land PIN # 10-10-16-200-004 known as Route 29, Pekin, IL. The notice was properly published as confirmed by the City Clerk in the local newspaper on August 8, 2014. No comments were received. Mayor Pro Tem Abel closed the Hearing at 5:43 p.m.

NEW BUSINESS

ORDINANCE NO. 2706-14/15

AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT

Motion by Council Member Hendricks, seconded by Council Member Orrick that Ordinance No. 2706-14/15 be adopted. Council was advised that the annexation was contingent on the terms of the agreement. Local investors were seeking approval by the Illinois Department of Agriculture for a medical marijuana cultivation center at the intersection of Illinois Route 29 and Manito Blacktop. Only one cultivation center would be allowed in each Illinois State Police District. Mapleton and Delavan had applied for the District 8 plant. City Manager Girdler also informed the Council that the ordinance provided for the Industrial I-2 zoning district. The property was located in the enterprise zone and developers had not asked for additional assistance. In addition to an increase in assessed valuation the business had the potential for fulltime jobs. Attorney Burt Dancey felt a decision could be made by fall on the state district locations approved. On roll call vote all present voted Aye.

ORDINANCE NO. 2707-14/15

ANNEXING REAL ESTATE

Motion by Council Member Hendricks, seconded by Council Member Orrick that Ordinance No. 2707-14/15 be adopted. The ordinance provided for Annexation of 9 acres of property pursuant to the Agreement. On roll call vote all present voted Aye.

Motion by Council Member Hendricks, seconded by Council Member Gillespie that the **HIGH SCHOOL LIAISON OFFICER AGREEMENT, be approved.** The Agreement with the Board of Education of Pekin School District No. 303 provided a police officer trained and available for juvenile justice programs. Police Chief Greg Nelson recommended to Council changing the annual contract to a multi year agreement. The City has provided an officer for over 15 years and financials have been adjusted to move as costs increase. Council Member Golden questioned the hours worked by the officer and was told an 8 hour work day with paid lunch. On roll call vote all present voted Aye.

ORDINANCE NO. 1462-A336-14/15

AMENDING TITLE 8, CHAPTER 3, SECTION 3 F. OF THE CODE OF THE CITY OF PEKIN 1995 REGARDING SPEED LIMITS ON CALIFORNIA ROAD

Motion by Council Member Orrick, seconded by Council Member McCabe that Ordinance No. 1462-A336-14/15 be adopted. The recommendation of the Traffic Safety Committee was presented to reduce the speed on a section of California Road south of Broadway to the city limits to 45 mph currently unposted rural road (55 mph). On roll call vote all present voted Aye.

ORDINANCE NO. 1462-A337-14/15
AMENDING TITLE 8, CHAPTER 4, SECTION 1 D. AND 1 E.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING NO PARKING SCHEDULE AND RESTRICTED PARKING WITH PERMIT

Motion by Council Member Orrick, seconded by Council Member Hendricks that Ordinance No. 1462-A337-14/15 be adopted. Chief Nelson told Council that the Traffic Safety Committee reviewed parking issue presented by the residents and recommended to establish 2 hour parking. The provisions of the Code also allowed residents of the 600 blocks of Hillyer Street and Haines Avenue to be excluded from parking restrictions when placards are purchased. He indicated the Traffic Safety Committee and the residents worked together for a compromise to the issue of parking on 2 narrow street frequented by parked vehicles of Washington School employees and postal workers. On roll call vote Ayes, Hendricks, Orrick, Gillespie, McCabe, and Abel; Nay, Golden. Motion Carried.

ORDINANCE NO. 1462-A338-14/15
AMENDING TITLE 8, CHAPTER 3, SECTION 3 F.
OF THE CODE OF THE CITY OF PEKIN 1995
REGARDING SPEED LIMITS ON S. TENTH STREET

Motion by Council Member Orrick, seconded by Council Member Gillespie that Ordinance No. 1462-A338-14/15 be adopted. Chief Nelson next advised the Council that Traffic Safety Committee heard the request of the residents to consider their complaints about the amount of traffic, speed, visibility, accidents, and the safety of children and drivers through the section on S. 10th Street between Park Avenue and Derby Street. The TSC recommended reducing the speed to 25 mph. Discussion followed on the requested alternative for a 4-way stop at the intersection of S. 10th Street and Oxford Street. Chief Nelson advised that 10th Street was a through street yet it was residential and had a significant curve. He indicated lowering the speed would likely deter some motorists from using 10th Street but may increase traffic on S. 14th Street. A 4-way stop was an alternative but creates additional risks of intersection crashes. Discussion followed. Council Member Golden suggested the utilization of traffic calming strips. On roll call vote Ayes, Orrick, Gillespie, and Abel; Nays, Golden, McCabe, and Hendricks. Motion Failed.

Motion by Council Member Golden, seconded by Council Member Orrick that the **SPECIAL USE FOR A CELL TOWER AT 1701 SHERIDAN ROAD be approved.** A recommendation of the Pekin Planning Commission was presented to allow Verizon/SBA to erect a tower with variance of 150’ approved by the Zoning Board of Appeals. On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Orrick that the **SITE PLAN FOR A CELL TOWER AT 1701 SHERIDAN ROAD be approved.** The recommendation of the Pekin Planning Commission for the site in a residential neighborhood was presented. Residents were notified and no objection were submitted. On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Gillespie that the **SPECIAL USE FOR A DRIVE-THRU AT 2925 COURT STREET be approved.** The recommendation of the Pekin Planning Commission for a Jimmy Johns second location in the former Pizza Hut building was presented.On roll call vote all present voted Aye.

Motion by Council Member Golden, seconded by Council Member Orrick that the **SITE PLAN FOR A DRIVE-THRU AT 2925 COURT STREET be approved.** The recommendation of the Pekin Planning Commission for the fast food restaurant was presented to the Council. On roll call vote all present voted Aye.

Motion by Council Member Gillespie, seconded by Council Member Orrick that the **COUNCIL CONCURS WITH THE IDOT STATE BID for the Runway Project at the Pekin Municipal Airport.** Bids to install Subgrade Drainage; Remove, Replace Bituminous Pavement and Remark Runway Project were received and awarded to R.A. Cullinan & Son in the amount of $303,179.55 by the State of Illinois. Council was informed by City Engineer Michael Guerra that the City’s portion of the project was 5%. Approximately $15,000.00 of minimal AIP funding would be utilized before the repair would be required by the FAA and the State. There was only one contractor bid submitted but was under estimate. The project would start in Spring 2015.

Council discussed the 20 additional years of maintaining repairs as the requirement of the funding of the Airport Improvement Program. Council further discussed the operations of the airport, expenditures, tenants and local use. Council Member Hendricks noted that he has asked for a plan for the airport so it would not operate at a loss and without it he would be voting no. Council Member Golden commented that the principal benefit was to the Riverway Business Park. He felt it would make better sense for the County to run. On roll call vote Ayes, Orrick, Gillespie, McCabe, and Abel; Nays, Golden and Hendricks. Motion Carried.

ANY OTHER BUSINESS TO COME BEFORE THE COUNCIL

STAFF- City Engineer Michael Guerra made Council aware of a substantial amount that would be needed from the Wastewater Treatment Plant contingency fund for the installation of a liner for the storm lagoon. He asked to be able to proceed with the procedure previously used for change orders that will quantify the expense and construction requirements. Official Council approval would be sought with the next packaged Change Orders. That would eliminate a field directive in which the contractor would charge for time and materials. Council Member Golden spoke in opposition that the change was over $10,000.00 and needed to be submitted to the Council for consideration prior to work being performed. Attorney Dancey voiced the opinion that nothing in the authorization was improper and that the Change Order would come back to Council for approval as the procedure that had been utilized for the WWTP project. Mr. Guerra was giving direction to proceed by the majority of the Council. Council Member Golden did not give approval. He expressed concern that to proceed was not legal unless in writing and that Council's o.k. did not meet the requirements of having written change to the contract.

Mr. Guerra announced that the construction and opening of Broadway Road at 8th Street was on schedule. The Sheridan Bridge Replacement, delayed by weather, was nearing completion. There was still a fair amount of work remaining, approximately 3 weeks, but the road would re-open soon. Council Member Golden commented on the liquidated damage costs for the extended project.
City Manager Girdler advised that the Library Bonds were purchased at 3.54% and noted the City's AA- rating was strong.

COUNCIL - Council Member McCabe encouraged the public to be cautious of bike riders with the opening of the school year.
Council Member Orrick spoke about the Broadway Road project. He felt the Council and the area church should have been informed that the repairs cut off west bound traffic from the church lot.
Council Member Golden noted that the weeds needed to be cut on City owned property at Hanna Drive blocking the visibility of the RWBP sign. Council Member Abel added to the list the 12oo Block of Court Street and the business at Parkway and Court Street. The Code Enforcement Officer Ron Sieh responded that most of the budget for contracted weed control and then placing liens on properties had been spent.

PUBLIC - Robert Bramham, 2108 Velde Drive, thanked Council Member McCabe and agreed with his comments on the airport; asked that Parkway at Velde Drive weeds be cut; asked Council to listen to request for stop sign on South 10th Street.
The following residents spoke in support of a stop sign at South 10th Street and Oxford intersection: Carrie Westerfield and husband, 909 Oxford, Josh Barnett, 1004 Oxford, Carol Monks, 1006 South 10th Street.
Austin Grant, 2419 Willow Street, requested the City review the policy and fee for individuals to permit radio towers on property. He indicated the provision prohibit armature radio support in time of emergencies.
Stephanie Brandt, 421 Haines, appreciated the approval of placard permits for residents. She indicated the request was not intended for residents to have private parking. The 2 hour restriction would possibly deter big trucks parking and blocking access to driveways, crosswalks and garbage pickup.
Steve Moore, 2010 Westgate, expressed appreciation to the owners of Buena Vista Apartments for their efforts in improving the landscape. He stated the apartment area looked nice.
Ann Witzig, 11501 Antioch, Tremont, pointed out businesses that needed weeds cut. In regards to the discussion on the Airport Mrs. Witzig felt the big picture should be looked at. She indicated that information given on the TIF programs was incorrect and that the money given the business for improvements does becomes a grant a five years with no payback.
Sally Johnson, 1503 North 13th Street suggested the people that use the airport pay the costs. She spoke in support of Council Member Golden willingness to ask questions.

EXECUTIVE SESSION
Motion by Council Member Gillespie, seconded by Council Member Orrick that the Council move to Executive Session at 7:25 p.m. to discuss 65 ILCS 120/2 (c) (6.) Lease of Municipally Owned Property and 5 ILCS 120/2 (c) (11.) Potential Litigation. On roll call vote, all present voted Aye.

No further business to come before the Council, motion by Council Member Gillespie that Council adjourn. Motion carried voice vote. Mayor Pro Tem Abel adjourned the meeting in open session.

COUNCIL ADJOURNED AT 8:00 P.M.

Sue E. McMillan
City Clerk